

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: TIGER NATURAL GAS, INC.	DOCKET NO. CGP-01-9 WRU-01-32-3572
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**ORDER GRANTING WAIVER OF JUNE 1, 2001, FILING DATE, DENYING
APPLICATION, AND GIVING NOTICE OF POSSIBLE CIVIL PENALTIES**

(Issued March 27, 2002)

On May 31, 2001, Tiger Natural Gas, Inc. (Tiger), filed a request for a waiver of the June 1, 2001, filing deadline for filing an application for a competitive natural gas provider (CNGP) certificate. The waiver was identified by the Utilities Board (Board) as Docket No. WRU-01-32-3572. Tiger requested an extension until June 8, 2001, to file the application. Tiger filed its application on June 8, 2001, before the Board could issue an order granting the waiver request. The Board treated the waiver as having been granted and began processing the application. The waiver will be granted in this order.

The application for a certificate was identified as Docket No. CGP-01-9. The Board's rules at 199 IAC 2.2(18) and 19.14 establish the filing requirements for the issuance of a certificate. By letter dated June 18, 2001, the Board notified Tiger of certain deficiencies in its application. As of the date of this order, Tiger has not filed a response to the Board's letter to update the application. Pursuant to 199 IAC 19.14(2), Tiger could continue to provide service to its Iowa customers

pending the approval of its application. However, even with the extension of the June 1, 2001, filing deadline to June 8, 2001, Tiger is in violation of 199 IAC 19.14(2), (3), and (4) by failing to complete its application.

The Board has attempted unsuccessfully to contact Tiger on numerous occasions concerning the application. Since Tiger has not responded to Board inquiries, the Board finds that the application for a CNGP certificate will be denied. Tiger has failed to provide the additional information requested by the Board and its failure to respond is unexplained. The failure demonstrates that Tiger is not committed to complying with the Iowa statutes and Board rules concerning operation as a CNGP in Iowa as required by 199 IAC 2.2(18) and 19.14.

In addition, Iowa Code § 476.87 requires an applicant must reasonably demonstrate the financial and managerial capability sufficient to obtain and deliver the services the applicant proposes to offer. The Board finds the information provided by Tiger in its application fails to meet the statutory standard.

Since Tiger will not be granted a certificate as a competitive natural gas provider for Iowa, it must exit the Iowa market. The Board will direct that Tiger, within 30 days of the date of this order, file in this docket a listing of all existing contracts between Tiger and Iowa customers and the date those contracts are to terminate. Tiger will also be required to file a detailed plan for exiting the Iowa competitive natural gas market by May 1, 2002. Tiger cannot provide service as a competitive

natural gas provider in Iowa after May 1, 2002, or until Tiger has filed another application and been granted a certificate by the Board.

Tiger is put on notice pursuant to Iowa Code § 476.51 for its violation of 199 IAC 19.14(2), (3), and (4) and that any further violation of these subrules by failing to exit the market and to document that exit as required in this order will expose Tiger to civil penalties under Iowa Code § 476.51.

IT IS THEREFORE ORDERED:

1. The waiver request filed by Tiger Natural Gas, Inc., on May 31, 2001, is granted.
2. The application for a certificate as a competitive natural gas provider filed by Tiger Natural Gas, Inc., on June 8, 2001, is denied for the reasons stated in this order.
3. Within 30 days of the date of this order, Tiger Natural Gas, Inc., shall file a list of all existing contracts with Iowa customers showing the termination date of those contracts and a detailed plan for exiting the Iowa competitive natural gas market by May 1, 2002.
4. Tiger Natural Gas, Inc., is notified pursuant to Iowa Code § 476.51 that another violation of 199 IAC 19.14(2), (3), and (4) by failure to comply with the market exit requirements of this order may result in civil penalties under Iowa Code § 476.51.

5. A copy of this order shall be sent to all investor-owned, municipal, and cooperative natural gas companies within Iowa.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 27th day of March, 2002.